

AMENDED IN SENATE JUNE 23, 2010
AMENDED IN SENATE JUNE 15, 2010
AMENDED IN SENATE JUNE 2, 2010
AMENDED IN SENATE MAY 12, 2010
AMENDED IN SENATE JULY 6, 2009
AMENDED IN SENATE JUNE 23, 2009
AMENDED IN ASSEMBLY MAY 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1272

Introduced by Assembly Member Hill

February 27, 2009

An act to add Section 65097 to the Government Code, and to add Section 1797.259 to the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 1272, as amended, Hill. Emergency medical services: trauma center: helicopter landing pad.

Existing law, the Emergency Medical Services System and Prehospital Emergency Medical Care Personnel Act, establishes the Emergency Medical Services Authority within the California Health and Human Services Agency to, among other things, provide statewide coordination of county emergency medical service programs, including, but not limited to, designated trauma centers, and to administer the Trauma Care Fund.

Existing law, the Planning and Zoning Law, among other things, authorizes the legislative body of a city or county to adopt zoning ordinances regulating, among other things, the use of buildings, structures, and land as between industry, business, residences, open space, and other uses. Existing law sets forth related public hearing requirements.

~~This bill would require a city, county, or city and county to, upon receiving an application for a permit resulting in the construction or operation of a heliport or helipad on the property of a general acute care hospital, notify the hospital and the local EMS agency of the date, time, and place of the hearing. The bill would require consultation by the city, county, or city and county, as prescribed. permit an EMS agency to submit a request of notification to a city, county, or city and county for notice of any zoning variance, permit, amendment, or entitlement for use that would permit the construction or operation of a heliport or helipad on the property of a general acute care hospital. The bill would also permit the local EMS agency, or an EMS agency from a county adjacent to the proposed heliport or helipad, after receiving the notice, to prepare a report, as specified, to consult with representatives of the city, county, or city and county regarding that report, and to provide written comments and appear at a hearing regarding the proposed construction or operation of a heliport or helipad.~~

By increasing the duties of local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 65097 is added to the Government Code,~~
- 2 ~~to read:~~
- 3 ~~65097. (a) A city, county, or city and county shall, upon~~
- 4 ~~receiving an application for a permit resulting in the construction~~

1 or operation of a heliport or helipad on the property of a general
2 acute care hospital, notify the hospital and the local EMS agency
3 of the date, time, and place of the hearing.

4 (b) ~~The city, county, or city and county shall consult with~~
5 ~~representatives of the hospital before the hearing regarding the~~
6 ~~impacts on availability and accessibility of emergency and trauma~~
7 ~~care services in the designated area, and health and safety effects~~
8 ~~of the proposed heliport or helipad.~~

9 (c) ~~The city, county, or city and county shall consult with the~~
10 ~~local EMS agency regarding air ambulance access for the local~~
11 ~~EMS system.~~

12 (d) ~~The city, county, or city and county shall consider any~~
13 ~~written comments by the hospital and the local EMS agency at the~~
14 ~~hearing.~~

15 (e) ~~As used in this section, “local EMS agency” means a local~~
16 ~~EMS agency as defined in Section 1797.94 of the Health and Safety~~
17 ~~Code.~~

18 ~~SEC. 2.~~

19 *SECTION 1.* Section 1797.259 is added to the Health and Safety
20 Code, to read:

21 ~~1797.259. (a) After receiving notice pursuant to Section 65097~~
22 ~~of the Government Code, the local EMS agency shall provide~~
23 ~~information to the city, county or city and county regarding air~~
24 ~~ambulance access for the local EMS system.~~

25 (b) ~~The local EMS agency may prepare a report, consult with~~
26 ~~representatives of the city, county, or city and county, provide~~
27 ~~written comments, or testify at the hearing, regarding the proposed~~
28 ~~construction or operation of a heliport or helipad.~~

29 *1797.259. (a) An EMS agency may submit a request of*
30 *notification to a city, county, or city and county pursuant to Section*
31 *65092 of the Government Code for notice of any zoning variance,*
32 *special use permit, conditional use permit, zoning ordinance*
33 *amendment, general or specific plan amendment, or any entitlement*
34 *for use that would permit the construction or operation of a*
35 *heliport or helipad on the property of a general acute care hospital.*

36 (b) *After receiving notice pursuant to subdivision (a), the local*
37 *EMS agency, and an EMS agency from a county adjacent to the*
38 *proposed heliport or helipad, may do any of the following:*

39 (1) *Prepare a report regarding the following:*

1 (A) *The current availability and accessibility of emergency and*
2 *trauma care services, access, and transport in the local and*
3 *regional EMS systems.*

4 (B) *How the proposed heliport or helipad would impact*
5 *emergency and trauma care services, access, and transport in the*
6 *local and regional EMS systems.*

7 (2) *Consult with representatives of the city, county, or city and*
8 *county regarding the report prepared pursuant to paragraph (1).*

9 (3) *Provide written comments and appear at a hearing regarding*
10 *the proposed construction or operation of a heliport or helipad.*

11 ~~SEC. 3.~~

12 SEC. 2. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.